Work Plan

EPA Conflict Prevention and Resolution Services Contract

Contract # EP-W-09-011

Work Plan for Task Order ## 003

Meeting Design and Facilitation for the GE-Pittsfield/Housatonic River Site

Submitted: August 29, 2012

2nd Revision: February 14, 2012 1st Revision: September 19, 2011

Original: March 5, 2009

Prepared for:

U.S. Environmental Protection Agency Conflict Prevention & Resolution Center Washington, DC 20460

EPA Program Office:

EPA Region 1

TOPO:

Dean L. Tagliaferro

Telephone Number:

617-918-1282

Fax Number:

617-918-0282

E-mail Address:

tagliaferro.dean@epa.gov

SRA Task Manager: **Telephone Number:**

Lee-Ann Tracy

Lena Thorpe 703-284-6080

Fax Number:

703-284-5056 703-284-1372

703-284-1372

E-mail Address:

lee-ann tracy@sra.com

Lena Thorpe@sra.com

Subcontract Lead: Telephone Number: Pat Field

617-844-1118

E-mail Address:

pfield@cbuilding.org

I. BACKGROUND

The comprehensive remediation and restoration of the GE-Pittsfield/Housatonic River Site is being performed pursuant to a court-ordered Consent Decree. The parties to the Decree include EPA, the U.S. Department of Justice, the Commonwealth of Massachusetts' Attorney General's Office, Executive Office of Environmental Affairs, and Department of Environmental Protection, the State of Connecticut's Attorney General's Office and Department of Environmental Protection, the U.S. Department of Interior, the National Oceanic and Atmospheric Administration, the City of Pittsfield ("City"), the Pittsfield Economic Development Authority ("PEDA"), and the General Electric Company. The Decree was approved by the U.S. District Court on October 27, 2000.

The Consent Decree provides for cleanup of the Housatonic River, the former General Electric facility, several former oxbows of the river, contaminated floodplain properties along the river, contaminated groundwater, Allendale School, Silver Lake and Unkamet Brook. The Decree also provides for recovery by the governments from GE of costs incurred in implementing the Decree cleanups, and provides for activities and funding by GE to address damage to natural resources.

In addition, a Definitive Economic Development Agreement among GE, the City, and PEDA became effective as of the entry of the Decree, and provides for economic redevelopment of the GE facility. Moreover, to facilitate successful redevelopment, on April 30, 2002, EPA entered into a Prospective Purchaser agreement with the City and PEDA to eliminate potential legal hurdles to PEDA's redevelopment.

More information on the Consent Decree and the GE-Housatonic River Site can be found on EPA's web page at: http://www.epa.gov/region01/ge/

A Citizens Coordinating Council (CCC) was established in 1998 during the time the government agencies were negotiating with General Electric. The purpose of the CCC was to obtain input from a wide variety of stakeholders affected by the site/potential settlement agreement. The continuation of the CCC meeting was formalized in Paragraphs 213 and 214 of the Consent Decree. The purpose of the CCC as outlined in the Consent Decree is for the government agencies and General Electric to share and exchange information on the implementation of the Consent-Decree related activities with the CCC members. The CCC was not set up to reach consensus on issues or to resolve concerns of the CCC's members. The CCC now meets formally approximately four times a year and informally an additional 4-8 times per year. In addition, there is often a site tour once per year and two meeting per year for a Connecticut CCC subcommittee.

The CCC membership consists of representatives from environmental groups (Housatonic River Initiative, Housatonic Environmental Action League, Berkshire Environmental Action Team, Housatonic River Restoration, Inc., Housatonic River Commissioners, and Citizens for PCB Removal, Housatonic Valley Association), federal, state, and local governments, Native American tribes, elected officials, members of the business community, and General Electric.

It is currently envisioned that site work will be ongoing for at least five more years and the CCC will continue to meet during this time frame. The goal of the CCC is to continue to provide a forum to exchange information with, and to obtain input from, stakeholders affected by the Consent Decree. Reaching consensus on issues is not a goal of the CCC.

In May, 2005, EPA retained the services of a facilitator, through the previous conflict prevention and resolution contract, to support the activities of the CCC. The facilitator held a series of formal and informal meetings of the CCC and its subcommittees which greatly assisted in community involvement and understanding of those affected by the Consent Decree. This SOW is for the continuation of facilitation services in support of the CCC.

This Work Plan describes SRA's approach for performing the tasks described in the revised Statement of Work received by SRA on August 15, 2012 January 31, 2012. This task order is being modified to provide resources for meetings between EPA, Massachusetts and General Electric regarding the Rest of the River component of the GE-Pittsfield/Housatonic River Site cleanup. Current expectations are that up to 16 meetings/workshops may be held over the next six months. Other tasks for the task order remain the same. All modifications to the Work Plan are indicated by bold, italic text; deletions are denoted by the use of strikethrough text.

In August of 2011, EPA determined that it would be beneficial to conduct facilitated meetings between EPA, the Commonwealth of Massachusetts, the State of Connecticut, and potentially the federal Natural Resource Trustees. The topic of the meetings will be technical discussions on the Rest of River component of the GE-Pittsfield/Housatonic River Site. In January of 2012 EPA determined that it was necessary to extend the facilitation between the EPA and the States and to increase the number of meetings.

Previous revisions to ∓this task order is being modified to extended the duration of the facilitation between the EPA and the States and to increase the estimated number of meetings between state and federal entities involved in the Rest of the River component of the GE-Pittsfield/Housatonic River Site cleanup from 8 (eight) to up to 16 (sixteen). Other tasks for the task order remained the same.

This Work Plan includes a description of the subtasks and a list of transmittals and deliverables and their due dates. A budget for *the 16 additional meetings* this task order is attached. The Work Plan is organized as follows:

Section 1.0 - Background and Scope of Work

Section 2.0 - Assumptions

Section 3.0 - Methodologies

Section 4.0 - Tasks

Section 5.0 - Deliverables

Section 6.0 - Staffing Plan

Section 7.0 - Quality Management

Section 8.0 - Conflict of Interest

Section 9.0 - Project Budget

2.0 Assumptions

SRA has made the following assumptions in developing this revised work plan and budget for the 16 additional meetings submitted on August 29, 2012:

- The 16 additional meetings will take place August 2012 through March 2013.
- Subcontractor activities include: preparing agendas, facilitating meetings, preparing meeting summaries, conferring with parties, and drafting documents, as needed for each meeting; managing the project and preparing monthly progress reports; and drafting and finalizing the Final Report of Process and Final Report of Dialogue Process.
- Travel costs have been included for 5 meetings in Pittsfield, 5 meetings in Springfield, 3 meetings in Westboro, and 3 meetings in Boston.
- SRA Management hours have been re-allocated and additional hours included in the cost estimate to provide for the replacement of the previous TOM

(Administration labor category) with a new TOM (Scientific/Technical Analysts Level-2); to cover the management of an additional subtask; and to provide for tracking funding and reporting activities separately for each activity listed under Task 3 (Section 4).

The following assumptions apply to the previous cost estimate, and are included here for completeness:

SRA has made the following assumptions in developing this work plan and budget submitted on February 14, 2012.

- Facilitate up to 8 additional 1 two day meetings depending on LOE required for a total of up to 16 (sixteen) meeting since initiation of the task order.
- The additional meetings are expected to occur between January 31, 2012 and February 4, 2014. Please note: SRA assumes that the dates of the meetings (January 12 through April 2012) on the second revised SOW was an error.
- Four, two day meeting will take place in Boston, Springfield, Pittsfield, and Westboro, MA among the agencies for agency deliberation. Assumes meetings will take place in these same locations.
- Assumes 5 two day meetings, 2 one day meetings, and 1 half day meeting, and the necessary calls and emails between meetings to prepare and organize appropriately.
- Travel costs for the service provider will be paid through this Task Order.
- The budget includes development of the work plan and monthly task order management through February 4, 2014.
- Travel costs for the service provider will be paid through this Task Order.
- This Task Order can be modified to change the scope of work or add funding.

3.0 Project Methodology and Approach

The proposed methodology and approach consists of the following:

- To support this Task Order, SRA has selected a facilitation team from the Consensus Building Institute (CBI).
- SRA and the Consensus Building Institute (the SRA Team) will not interpret EPA policy on behalf of the EPA nor make decisions on items of policy, regulation or statutes. The SRA Team also will not take a stand on the merits of substantive items under discussion.
- The SRA Team will perform in accordance with generally acceptable norms and ethical procedures of the mediation profession.
- The SRA Team will approach this task in accordance with the terms of the basic contract.
- In gathering information or performing research with parties outside the EPA, SRA Team members will identify themselves as contractors to EPA and not as EPA employees.

As prime contractor, SRA will support this Task Order through the following activities:

- SRA will provide monthly progress reports by the 15th of each month, and provide breakdown of tasks and financial activities.
- The SRA Task Manager will communicate and coordinate with the EPA TOPO by phone as needed.
- SRA will coordinate with the subcontractor, CBI.
- SRA will incorporate the principles of Quality Management while carrying out this task.
- All deliverables will be provided in electronic format (as agreed to by the TOPO) to the EPA TOPO.

- SRA will continue to track costs related to State and Federal agencies additional meetings separately from the existing task related to the facilitation of the CCC meetings.
- The SRA International will track the cost related to the two subtasks to the SOW (CCC facilitation and facilitation between EPA and the States) separately. The monthly progress reports will also differentiate between the meeting/tasks performed for each subtask of the SOW.
- SRA WILL NOTIFY THE EPA PROJECT DIRECTOR AND PROGRAM OFFICE CONTACT WHEN 75% OF THE FUNDS PROVIDED HAVE BEEN EXPENDED OR WHEN FUNDING FOR LESS THAN 6 WEEKS WORK REMAINS.
- SRA will notify the appropriate EPA points of contact if work is conducted by those in labor categories not included in any of the cost estimates provided for this task order.

4.0 Work Tasks

Task 0. Task Assignment Management

In accordance with proper contract implementation, the SRA and CBI will ensure effective management of the resources and deliverables required by EPA. Specifically, the SRA Task Manager for this will:

- Ensure that all technical direction received falls into the scope of work, prior to initiating any action;
- Ensure completion and maintain copies of all contract transmittals and deliverables;
- Assist in resource planning, and manage the budget and hours on a weekly basis to ensure accurate and effective financial tracking;
- Oversee subcontractor activities through regular and periodic conversations with CBI to ensure effective performance;
- Ensure that monthly progress and financial reports accurately record the level of effort expended, clearly articulate the work completed and work planned for the subsequent month, clarify any lagging subcontractor costs, and identify any problems encountered and activities to address them; and
- Speak regularly with the EPA TOPO to review the status of the work and go over the monthly technical and financial progress reports.

As requested by the TOPO and/or EPA's Conflict Prevention and Resolution Center, dispute resolution professional will provide information for EPA's ADR and contract tracking systems. Provided that EPA makes the request while the period of performance is open and task order funding is available, dispute resolution professionals working under this Task Order will complete EPA ADR evaluation system questionnaires and provide information necessary to administer questionnaires to participants in ADR processes (e.g., contact information for parties). Dispute resolution professionals will contribute to or conduct all or parts of an evaluation of the case according to EPA case or meeting evaluation protocols. As requested by the TOPO, SRA Team members will participate in a post-process debriefing with EPA officials, including the PO, TOPO and Technical Directive and relevant EPA management, to discuss lessons learned and next steps.

Deliverable

0-1 Monthly Progress Reports

Due Date

15th of each month

Transmittal

0-2 ADR Evaluation Questionnaires

Due Date

TBD by TOPO

Task 1. Workplan and Budget Preparation and Project Administration

The SRA Team has developed this Work Plan to provide a detailed explanation of all activities associated with and a proposed approach for completing each of the defined tasks. The SRA Team also has identified the transmittals and deliverables and their associated due dates. The SRA Team has developed and included a detailed budget, including a breakout of labor hours and other direct costs. SRA will deliver the work plan to the EPA TOPO within 10 working days of SRA's receipt of the Task Order.

Deliverable

1-1 Work Plan

1-1a Revised Work Plan

1-1b **2**nd Revised Work Plan

1-1c 3rd Revised Work Plan

Due Date

March 5, 2009

September 19, 2011

February 14, 2012

August 29, 2012

Task 2. Selection of Dispute Resolution Professional

This work is follow on from a previous process, so SRA has selected the CBI to continue work on the project, as per the request of the parties. If a new facilitator is requested or the current facilitator cannot for some reason fulfill this commitment, SRA will select a new dispute resolution professional to act as convener/facilitator for this proceeding in consultation with the Project Officer (PO) and Task Order Project Officer (TOPO).

Task 3. ADR Support

SRA Team members Patrick Field and Elizabeth Fierman of CBI will provide facilitation for up to an additional nine (9) CCC meetings. Patrick Field and an associate or administrative level for note taking will provide, - consultation, public participation, conflict analysis, dispute avoidance and dispute resolution services to Headquarters and Regional staff and private parties. Both efforts may include developing and supplying materials, making logistical arrangements for the requested activity, facilitating meetings and providing meeting summaries. The SRA Team may provide services telephonically or electronically and will travel to regional and state offices, communities and the GE-Pittsfield/Housatonic river site to do the work. The services will be provided in a manner consistent with the process and controls as described in the task order. This includes production of a summary of work at the conclusion of the proceedings. Specific activities may include, but are not limited to the following:

- GE Pittsfield/Housatonic River Site (CCC Meetings)

1. There are no changes to the scoop of work to this task.

- Interagency Deliberations on the Rest of River (Federal State Agencies Mediation)

- 1. There are no changes to the scoop of work to this task.
- 1. Facilitating up to an additional 8 (eight) meetings of the State and Federal agencies. The meetings are expected to occur between September, 2011 and February 4, 2014.
- 2. Facilitating up to 8 (two day, one day, or half day in duration) meetings for interagency deliberations on the Rest of River and associated in-between conference calls and coordination calls of 1 to 2 hours in duration, plus individual calls with technical leads for coordination.

- Facilitation Of Technical Discussions and/or Workshops Between The EPA, The States And General Electric

The SRA Team will conduct the following activities:

- 1. Assist with the coordination of the agenda items and the scheduling of up to 16 one or two-day meetings with representatives of EPA, the Commonwealth of Massachusetts, the State of Connecticut, potentially the federal Natural Resource Trustees and General Electric representatives.
- 2. Facilitate up to 16 meetings. The meetings are expected to last 6 hours per day. The meetings will be held at mutually agreeable locations in Massachusetts.
- 3. The meetings are expected to occur between August 2012 and March 2013.
- 4. Provide written summaries of the meetings when appropriate to the design and intent of the meeting. The content and discussions of the meetings will be kept confidential and the facilitator may have to sign a confidentiality agreement.

The following should be applied for all activities under Task 3 both tasks:

- 1. The SRA Team will facilitate all plenary and small meetings and assist participants in articulating their interests and concerns. Note that the purpose of the CCC is NOT to reach consensus on issues, rather to facilitate an exchange of information. As facilitator, SRA Team members will keep the parties talking, listening, and moving--as much as possible-- towards the goal of the process. THE FACILITATOR WILL NOT TAKE A POSITION ON THE MERITS NOR RECOMMEND TO THE PARTIES WHAT THE SUBSTANTIVE RESOLUTION OF AN ISSUE SHOULD BE.
- 2. Preparation time for the facilitator/mediator to review project documents, help prepare a work plan and roles and responsibilities, and assist with development of a non-disclosure agreement.
- 3. The facilitator will periodically update EPA's CIC and TOPO on items of concern.
- 4. The facilitator will provide a draft agenda to the PO, TOPO and technical leads prior to each formal meeting. The facilitator will consult with EPA and all other appropriate parties in drafting an agenda. Upon receipt and incorporation of TOPO/CIC comments, the facilitator will distribute the final agenda to the PO, TOPO, meeting members and other participants.
- 5. The facilitator will communicate as necessary in person, by phone, or in writing, with meeting members of the CCC and other participants between meetings to ensure that issues and concerns have been communicated accurately and that meeting members are adequately prepared for the next meeting. The facilitator will keep confidential that information which parties specify as confidential.
- 6. The facilitator will provide draft meeting summaries to the EPA TOPO and EPA CIC. Upon receipt and incorporation of EPA comments, the facilitator will distribute final meeting summaries to the EPA PO, TOPO, CIC and meeting participants and other interested parties.
- 7. The facilitator will provide meeting facilities, equipment, supplies and support for all meetings. EPA may also provide equipment (projectors, screens), if available.

8. The facilitator will conduct a brief process evaluation (an annual evaluation) with the CCC members. The facilitator will provide a brief summary of the proposed evaluation process to the TOPO and CIC for review prior to conducting the evaluation.

TRANSMITTALS 3-1, Draft Meeting Agenda

3-2, Final Meeting Agenda

3-3, Draft Meeting Summary

3-4, Final Meeting Summary

DATE

2 weeks before meeting

1 week before meeting

1 week after meeting

1 week from receipt of comments

Task 4. Final Report

The SRA Team will furnish a draft final report of the effort to the PO and TOPO. The draft and final report will be stamped "Confidential". The contents will include:

- (a) A one page or shorter description of the project that describes the nature of the project, the parties, the process and the outcomes.
- (b) Final meeting summaries with relevant and necessary attachments, including lists of participants.
- (c) A short process evaluation by the facilitator summarizing procedural lessons learned and recommendation for improvements.
- (d) Results of the evaluation conducted with the parties.

The PO and TOPO will review the draft final report and provide comments and revisions as necessary. The SRA Team will prepare the final report incorporating their comments and revisions. The SRA Team will provide 1 copy of the final report to the Project Officer and two copies to the Task Order Project Officer. The final report may be transmitted in electronic form rather than in hard copy if the Task Order Project Officer agrees.

Transmittals and Deliverables	Due Date	Type
4-1, Draft Final Report of GE Pittsfield/Housatonic	4 Weeks prior to end of	Transmittal
River Site (CCC meetings) Process	POP	
4-2, Final Report of GE Pittsfield/Housatonic	2 weeks after receipt of	Deliverable
River Site (CCC meetings) Process	comment	
4-3, ADR Evaluation Questionnaires	2 weeks after receipt	Deliverable
4-4, Draft Final Report of Interagency Deliberations	30 days after final meeting	Transmittal
on the Rest of River (Federal State Agencies		
Mediation Meetings) Dialogue		
Process*		
4-5, Final Report of Interagency Deliberations on	14 days after receipt of	Deliverable
the Rest of River (Federal State Agencies	EPA comments	
Mediation Meetings)Dialogue		
Process*		
4-6, Draft Final Report of Facilitation	30 days after final	
of meetings between EPA and	meeting, or as otherwise	Transmittal
the States and General Electric*	directed by the TOPO	
4.7 Final Papart of Facilitation of mactings	14 days after receipt of	
4-7, Final Report of Facilitation of meetings between EPA and the States and General	EPA Comment, or as	Deliverable
Electric*	otherwise directed by the	
LIGUIU	TOPO	

^{*}These reports will be marked CONFIDENTIAL.

5.0 Reports, Transmittals and Deliverables

Schedule

Transmittals and Deliverables	Due No Later Than	Type:
0-1, Monthly Progress Reports	15 th of each month	Deliverable
0-2, ADR Evaluation Questionnaires	TBD by TOPO	Transmittal
1-1, Work plan	March 5, 2009	Deliverable
1-1a, Revised Work Plan	September 19, 2011	Deliverable
1-1b, 2 nd Revised Work Plan	February 14, 2012	Deliverable
1-1c, 3 rd Revised Work Plan	August 29, 2012	Deliverable
3-1, Draft Meeting Agendas	2 weeks before meeting	Transmittal
3-2, Final Meeting Agendas	1 weeks before meeting	Transmittal
3-3, Draft Meeting Summaries	1 weeks before meeting	Transmittal
3-4, Final Meeting Summaries	2 weeks after meeting	Transmittal
4-1, Draft Final Report of GE Pittsfield/Housatonic River Site (CCC meetings) Process	4 weeks prior to end of POP	Transmittal
4-2, Final Report of GE Pittsfield/Housatonic River Site (CCC meetings) Process	2 weeks after receipt of comment	Deliverable
4-4, Draft Final Report of Interagency Deliberations on the Rest of River (Federal State Agencies Mediation Meetings) Dialogue Process*	30 days after final meeting	Transmittal
4-5, Final Report of Interagency Deliberations on the Rest of River (Federal State Agencies Mediation Meetings)Dialogue Process*	14 days after receipt of EPA comments	Deliverable
4-6, Draft Final Report of Facilitation of meetings between EPA and the States and General Electric*	30 days after final meeting, or as otherwise directed by the TOPO	Transmittal
4-7, Final Report of Facilitation of meetings between EPA and the States and General Electric*	14 days after receipt of EPA Comment, or as otherwise directed by the TOPO	्र Deliverable

^{*}These reports will be marked CONFIDENTIAL.

6.0 Staffing Plan

This task order will be staffed as follows:

Team Member Name [†]	Labor Category [†]	Role in the Project
Mary Apostolico SRA International	Program Manager	Overall Contract Management, Quality Assurance
Lee-Ann Tracy [‡] Lena Thorpe[‡]	Task Order Manager [‡]	Overall Task Order Management, AME Administrator
Jennifer Cutrona	Administration	AME Administrator
Patrick Field CBI	Dispute Resolution Professional Level 3	Facilitator
Elizabeth Fierman CBI	Dispute Resolution Professional Level 1	Facilitator

[†]Note that other team members (CBI) than those listed in the above table may work on this task order to complete the required work. If substitutions are necessary, SRA will make every effort to replace staff with appropriately qualified personnel in the same or lower cost labor category; however, this may not be possible because of time restraints and/or available personnel. SRA will notify the appropriate EPA points of contact if work is conducted by those in labor categories not included in any of the cost estimates provided for this task order.

[‡]The task order mainly will be managed by the TOM listed in the above table; however, additional team members may conduct task order management activities to ensure coverage during periods when the TOM is unavailable (e.g., vacation, illness, business travel, time constraints). If substitutions are necessary, SRA will make every effort to use staff with the same or lower cost labor category; however, this may not be possible because of time restraints and/or available personnel. Substitutions for the TOM may include, but are not limited to the PM, other STAC2 staff, and Dispute Resolution Professionals at various levels.

7.0 Quality Management

As part of its quality assurance practices, SRA will:

- Review this Work Plan with the EPA TOPO, as requested by the TOPO;
- Meet or hold conference calls regularly with the TOPO to review progress; and
- Speak regularly with the subcontractor to receive project status updates.

In addition, all work on this Task Order will be performed in accordance with SRA's strict quality assurance practices, including but not limited to:

- Completing a QA checklist in coordination with the EPA TOPO to establish the basic QA protocols for this task order;
- Performing quality control on all deliverables so identified in the QA checklist.
- Incorporating quality management principles and processes into the development of the required transmittals, deliverables, and the consulting services offered.

8.0 Conflict of Interest

Based on our review and understanding of the legal requirements of this work, SRA certifies that no real, apparent, or potential organizational or individual conflict of interest exists with this assignment, based on previous or ongoing work, or other potential conflicts.

9.0 Project Budget

The budget for *the additional 16 meetings* this task is provided as Attachment 1.